

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NIPPON SHINYAKU CO., LTD.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 21-1015 (JLH)
	)	
SAREPTA THERAPEUTICS, INC.,	)	
	)	
Defendant.	)	
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SAREPTA THERAPEUTICS, INC. and THE	)	
UNIVERSITY OF WESTERN AUSTRALIA,	)	
	)	
Defendant/Counter-Plaintiffs,	)	
	)	
v.	)	
	)	
NIPPON SHINYAKU CO., LTD.	)	
and NS PHARMA, INC.	)	
	)	
Plaintiff/Counter-Defendants.	)	

**SAREPTA THERAPEUTICS, INC. AND THE UNIVERSITY OF WESTERN  
AUSTRALIA’S MOTION (#2) TO EXCLUDE DR. MATTHEW J.A. WOOD’S  
IRRELEVANT AND UNHELPFUL OPINIONS AND TESTIMONY**

Pursuant to Federal Rules of Evidence 702 and 403, Sarepta Therapeutics, Inc. (“Sarepta”) and the University of Western Australia (“UWA”) respectfully move for the Court to exclude the opinions and testimony of Dr. Matthew J.A. Wood in his Supplemental Expert Report (served on July 3, 2024) and Supplemental Reply Expert Report (served on September 4, 2024), including Dr. Wood’s opinions and testimony from his prior expert reports (served on September 8, 2023, October 11, 2023, and October 27, 2023) that Dr. Wood incorporates or references in his

Supplemental Expert Reports.<sup>1</sup> The grounds for this Motion are set forth in the Opening Brief in Support thereof, filed concurrently.

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*/s/ Megan E. Dellinger*

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<sup>1</sup> Example paragraphs where Dr. Wood incorporates or references his earlier reports into his Supplemental Reports are Ex. 7 (Wood Supp. Expert Rep.) ¶¶ 12, 25, 27, 77, 82; Ex. 6 (Wood Supp. Reply Expert Rep.) ¶¶ 13, 16, 21 n.6, 57, 63, 81.

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October 2, 2024

**RULE 7.1.1 CERTIFICATE**

I hereby certify that the subject of the foregoing motion has been discussed with counsel for the plaintiff/counter-defendants and that we have not been able to reach agreement.

*/s/ Megan E. Dellinger*

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Megan E. Dellinger (#5739)

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NIPPON SHINYAKU CO., LTD.	)	
and NS PHARMA, INC.	)	
	)	
Plaintiff/Counter-Defendants.	)	

**[PROPOSED] ORDER GRANTING SAREPTA THERAPEUTICS, INC. AND  
THE UNIVERSITY OF WESTERN AUSTRALIA’S MOTION (#2) TO  
EXCLUDE DR. MATTHEW J.A. WOOD’S IRRELEVANT  
AND UNHELPFUL OPINIONS AND TESTIMONY**

Having considered Sarepta Therapeutics, Inc. (“Sarepta”) and the University of Western Australia’s (“UWA”) motion to exclude Dr. Matthew J.A. Wood’s irrelevant and unhelpful opinions and testimony and all related papers filed in connection therewith,

**IT IS HEREBY ORDERED** that Sarepta and UWA’s Motion is **GRANTED**: the opinions and testimony of NS’s expert Dr. Matthew J.A. Wood in his Supplemental Expert Report (served on July 3, 2024) and Supplemental Reply Expert Report (served on September 4, 2024), including Dr. Wood’s opinions and testimony from his prior expert reports (served on September

8, 2023, October 11, 2023, and October 27, 2023) that Dr. Wood incorporates or references in his Supplemental Expert Reports are hereby excluded.

**IT IS SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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The Honorable Jennifer L. Hall  
U.S. District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on October 2, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 2, 2024, upon the following in the manner indicated:

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*/s/ Megan E. Dellinger*

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